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PATENT

Customer No. 34,986

Attorney Docket No. 01064.0011-05-000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Richard LEVY ) Group Art Unit: 1714  
Application No.: 09/359,809 ) Examiner: M. Medley  
Filed: July 23, 1999 )  
For: LUBRICANT COMPOSITIONS )  
AND METHODS )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

NOTICE OF APPEAL

Applicant hereby appeals to the Board of Appeals from the decision dated December 3, 2003 of the Examiner.

The item(s) checked below are appropriate:

1.  A Petition for extension of time to respond to the final rejection was filed on [Date] extending the period for response to [Date].
2.  A Petition for extension of time to further extend the period for response to [Date] is enclosed together with a fee of \$[Fee].
3.  The Appeal Fee of \$310.00 (or \$155.00 if by small entity)  
 is enclosed or  is to be charged to Deposit Account No. 06-0916
4.  An Appeal was filed in this application on April 10, 2002 with an appeal fee in the amount of \$160.00. The examiner reopened prosecution on June 12, 2003 and appellant responded on September 4, 2003, after which the examiner issued a subsequent office action on December 3, 2003. The Manual of Patent

Examining Procedure §1208.02 waives payment of the Notice of Appeal fee in these circumstances.

Respectfully submitted,

THE LAW OFFICES OF ROBERT J. EICHELBURG

Dated: December 6, 2003

By:   
Robert J. Eichelburg  
Reg. No. 23,057

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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service under 37 C.F.R. § 1.8 on the date indicated below and is addressed to the Commissioner for Patents, P.O. BOX 1450, Alexandria, Virginia 22313 -1450

Dated: December 6, 2003

By:   
Robert J. Eichelburg, Reg. No 23,057